

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Yusuf Saleem

v.

School District of Philadelphia
and
Children's Crisis Treatment Center

FILED

JAN 11 2013

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CIVIL ACTION
NO. 12-3193

O'NEILL, J.

ORDER

AND NOW, this //day of January, 2013, after consideration of the motion to dismiss the complaint by defendant School District of Philadelphia and plaintiff Yusuf Saleem's response thereto, it is hereby ORDERED that the defendant's motion is GRANTED as follows:

- 1) Plaintiff's First Amendment retaliation and conspiracy claims are DISMISSED and consistent with the accompanying memorandum of law and to the extent he can allege facts sufficient to state a claim against defendant, plaintiff is PERMITTED leave to amend his complaint within 30 days from the date of this order;
- 2) Plaintiff's wrongful termination in violation of public policy claim is DISMISSED with prejudice;
- 3) The Court will reserve judgment on Plaintiff's claim for damages for a violation of the right to free speech under the Pennsylvania Constitution and plaintiff is PERMITTED leave to file a memorandum addressing whether there is legal authority that permits such a claim for damages to proceed under the Pennsylvania Constitution, and defendant is PERMITTED to file a memorandum addressing the same. Each memorandum shall be filed within 30 days from the date of this order;
- 4) Plaintiff's tortious interference with contract claim is DISMISSED with prejudice.


THOMAS N. O'NEILL, JR., J.